

**OPTOMETRY EXAMINING BOARD
REGULAR MEETING
JULY 30, 2003**

MEMBERS PRESENT: Kerry Griebneow, OD; Leon Griffin, Jr., OD; Chris Hubbell, OD; Lynne LeCount; Jeff Sarazen, OD; Ray Heiser

MEMBER EXCUSED: Heather Hinson, OD

STAFF PRESENT: Kimberly Nania, Ph.D; Bureau Director; Ruby Jefferson-Moore, Legal Counsel; Gina York, Program Assistant; and Division of Enforcement Staff for portions of the meeting

GUESTS: Peter Theo, WOA and Amy S. Dixon, Boardman Law Firm

CALL TO ORDER

Chair Chris Hubbell called the meeting to order at 10:02 a.m.

APPROVAL OF AGENDA

Amendments To The Agenda:

☒ After Discussion of CE Audits – Add: Report of Statutes and Rules Committee

MOTION: Jeff Sarazen moved, seconded by Leon Griffin, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF MAY 30, 2003

Amendments To Minutes:

- ☒ Page 3 Under Discussion Re: Maintaining a list of 100 Hour TPA Courses – In motion add the word “courses” after TPA.
- ☒ Page 6 Under Visitors Comments: After the word shared, Add: the status of the WOA draft language with the Board and delete the rest of the sentence.
- ☒ Double check throughout document for Ruby Jefferson-Moore’s name.

MOTION: Ray Heiser moved, seconded by Jeff Sarazen, to approve the minutes of May 30, 2003, as amended. Motion carried unanimously.

ADMINISTRATIVE REPORT

Kimberly Nania, Bureau Director, provided an update to the Section regarding budget issues and its effect on the Department. Further reductions may be needed. It has been decided that the Department will remain at its current location. Secretary Strong Hill met with Board Chairs asking for their input on ways to reduce costs without sacrificing protection of the public. Two areas identified by the Department as large expenditures were in printing and postage and is currently being looked at. Regulatory Digests for all professions are on hold.

Dr. Nania reviewed with the Board travel information provided in a memo by the Department of Administration to all agencies. She also reviewed the Department's hotel policy for no shows it is as follows:

DEPARTMENT POLICY

1. If the Board Member is not going to use the reserved hotel room, it is the ***responsibility of the Board Member*** to cancel the room by calling the hotel themselves. If the room is not cancelled, the Board Member would be responsible to pay the bill.
2. If we cancel a meeting because of lack of quorum or no business, it should be the Department's responsibility to cancel any room reservations.

Dr. Nania briefly reviewed with the Board the process of the fee study by Grant Thornton for the Department and factors considered when looking at licensing fees. As shared at a previous meeting the Joint Finance Committee defeated the proposal and there will not be an increase in licensing fees for any profession.

The application forms for licensure are online and can be downloaded, completed, and then mailed to the Department for processing. All code books are now online in their entirety. The website address for the Department is: www.drl.state.wi.us

The roster was reviewed by Board members. All changes indicated will be forwarded to Roxanne Peterson for correction. The Governor's office is aware of Board vacancies and is working on filling the most urgent vacancies first in order for Boards to conduct business.

A workshop for new Board members will be coming in October, 2003 and will be held at the Concourse Hotel located in Madison, WI. Kimberly Nania will confirm information and the Specific date for the Board.

PRESENTATION OF PROPOSED STIPULATIONS

There were no stipulations to be presented to the Board.

SUMMARY REPORT ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES

Ruby Jefferson-Moore reviewed the report with the Board.

REVIEW AND APPROVAL OF RULES SCOPE STATEMENT

The Statutes and Rules Committee recommends approval of the Scope Statement to the Board. The Board took the following action:

MOTION: Kerry Griebneow moved, seconded by Ray Heiser, to approve the Scope Statement dated August, 2003. Motion carried unanimously.

REVIEW OF CORRESPONDENCE AND HR 2221 LEGISLATION RELATING TO CONTACT LENS PRESCRIPTIONS

Ruby Jefferson-Moore, Legal Counsel discussed HR 2221 Legislation and related correspondence with the Board. Ms. Jefferson-Moore shared the status of HR2221 and who is sponsoring the legislation. Not much has occurred at this time but Legal Counsel will keep the Board posted on its progress. Chris Hubbell, Board Chair, will contact Peter Theo of WOA for comment on the HR 2221 legislation.

CORRESPONDENCE REGARDING HR 2173 FROM VISION COUNSEL OF AMERICA (VCA)

The Board discussed the correspondence received by VCA regarding HR 2173 legislation on pre-school eye exam screenings and recognizes VCA's efforts to increase the number of children receiving an eye exam. No action is needed at this time.

DISCUSSION REGARDING LACK OF AVAILABILITY OF DPA CONTINUING EDUCATION COURSES

Gail Pizarro, Exam Specialist reviewed the CE courses list and answered questions from the Board. Ms. Pizarro shared that there are very few DPA courses, most are TPA's and a few Category 3's. The Board reviewed the current language in the code book and discussed ways to meet the DPA one (1) hour requirement. The Board will need documentation for proof of completion and it must be from a licensed professional. Therefore, individuals for DPA courses must provide a letter from a licensed Optometrist, a licensed Optomologist, or a TPA and submit the required documentation to Kerry Griebneow or Jeff Sarazen who will keep it on file.

DISCUSSION OF CE AUDITS WITH BARBARA SHOWERS

The Board will discuss with Barbara Showers at their next meeting, current CE requirements, criteria to approve courses, and verification regarding completion of CE requirements, criteria for handling hardships, conducting CE audits, and how to handle those found to be non-compliant. The Board would like to start the audit process in early 2004. The Board took the following action:

MOTION: Kerry Griebneow moved, seconded by Lynne LeCount, to send out a notice with renewals that random audits will be conducted starting in 2004. Motion carried unanimously.

REPORT ON STATUTES AND RULES COMMITTEE KERRY GRIEBNEOW

The Committee reviewed and discussed the Scope Statement related to revisions OPT 1-7 of the WI Administrative Codes relevant to rules of unprofessional conduct that relates to the performance of minimum eye examinations by optometrists. The objective is to clarify and update administrative rules related to: 1) revisions to the examination and continuing education requirements for optometrists; 2) revisions to unprofessional conduct rules that relate to the performance of minimum eye examination, and 3) clarity, grammar, punctuation, and use of plain language. The Committee took the following action:

MOTION: Lynne LeCount moved, seconded by Chris Hubbell, to approve the Scope Statement of August 2003 and make a recommendation to the full Board. Motion carried unanimously.

The Committee and Ruby Jefferson-Moore, Legal Counsel, began revisions to the Administrative Rules OPT 6.04 (1), OPT 5.08 (2), and other related language regarding continuing education. Kerry Griebneow and Jeff Sarazen provided a draft of proposed changes with the incorporation of COPE categories and non-TPA courses. Ms. Jefferson-Moore will implement changes as discussed and present a draft of the new proposed language to the Committee at the next meeting. At this time, all hardship requests will come before the Board for consideration.

Peter Theo, WOA, requested an opportunity to present a copy of WOA's draft language to 449 before the full Board at their next meeting. Mr. Theo will do an in-depth review of the language at that time and will answer questions the Board may have. The Committee will inform the Board of his request. The Board will honor his request and Kimberly Nania will extend an invitation to Mr. Theo.

DISCUSSION OF PROPOSED REVISIONS TO 449

Informational. (See Report of Statutes and Rules Committee)

DISCUSSION REGARDING ARBO

None.

VISITORS' COMMENTS

None.

RECESS TO CLOSED SESSION

There was no business before the Board, which required going into closed session.

INFORMATIONAL ITEMS

The Board noted all informational items submitted for today's meeting.

OTHER BOARD BUSINESS

The Board made the following requests regarding the next Board meeting.

- Further Discussion Regarding CE Audits – Barbara Showers
- Invitation to Peter Theo, WOA - Kimberly Nania
- Board Requested the 9/12/03 Meeting Be Cancelled.
- The Next Meeting Date – November 14, 2003

ADJOURNMENT

MOTION: Ray Heiser moved, seconded by Jeff Sarazen, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:14 p.m.